IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTY FOURTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

**THE HON'BLE DR JUSTICE G.YETHIRAJULU**

**WRIT PETITION NO. 17188 of 2004**

Between:

P.Muralidhara Rao, S/o Venkata Rao,
Vivekananda Aided Hindu Elementary Committee School, Pothavaram-534176,
West Godavari District

**..... PETITIONER**

AND

The Government of A.P.rep.by its Secretary, School Education Department,
Secretariat Buildings, Hyderabad

**.....RESPONDENT**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate Writ, Order or direction, particularly one in the nature of a Writ of Mandamus, directing the Respondent to dispose the Appeal No.21568/2003 within a time-bound programme, declaring the inaction as illegal and ultra vires to the provisions of Articles 14 and 21 of the Constitution of India besides being violative of the mandatory provisions of A.P.Education Act, and the Rules framed thereunder on the subject from time to time and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

**Counsel for the Petitioner:DAMARAJU VENKATA MUDHUSUDHAN RAO,**

**Advocate**

**For the Respondent.: GP FOR EDUCATION**

**The Court made the following :**

**O R D E R:**

The petitioner is working as a Secondary Grade Teacher in the Vivekananda Aided Hindu Elementary Committee School, Pothavaram, W.G.District from 19-8-1985 in grant-in-aid post. The Management of the school dismissed him from service through the proceedings dated 10-01-2000. The petitioner filed a writ petition before this Court Vide W.P.No.1335 of 2000. This Court while permitting the petitioner to withdraw the writ petition gave liberty to him to file a statutory appeal as provided under Section 81 of the A.P.Education Act, 1982. The petitioner contends that he filed a statutory appeal before the respondent bearing Appeal No.21568 of 2003. Though the appeal is required to be disposed of within 90 days, the respondent did not pass any orders on the appeal. Therefore, the petitioner approached this Court seeking a direction to the respondent to dispose of the Appeal. In the light of the circumstances explained by the petitioner, the respondent is directed to dispose of the Appeal No.2156 of 2003 preferred by the petitioner within two months from the date of receipt of the order copy from this Court.

Accordingly, the Writ Petition is disposed of. No order as to costs.

24th September 2004.

Mrb

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The Secretary,

Government of A.P., School Education Department,

Secretariat Buildings, Hyderabad

2. Two CC to G.P. for School Education, High Court Buildings,

Hyderabad (OUT)

3. Two CD copies